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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/630,526	08/01/2000	Hidetoshi Hayashi	35.C14691	6108

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EXAMINER

SELBY, GEVELL V

ART UNIT	PAPER NUMBER
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2615

5

DATE MAILED: 02/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/630,526

Applicant(s)

HAYASHI ET AL.

Examiner

Gevell Selby

Art Unit

2615

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. **Claims 1-6 and 9 are rejected under 35 U.S.C. 102(e) as being anticipated by Terada et al., US 6,124,888.**

In regard to claim 1, Terada et al., US 6,124,888, discloses a selector circuit (see figure 26, element 602) comprising:

a scan circuit (see figure 26, elements 609 and 610) for sequentially outputting a pulse for selection (see column 13, line 60 to column 14, line 32); and

a decoder circuit (see figure 7, element 109) for designating a desired block of said scan circuit divided into a plurality of blocks, so as to allow said scan circuit to start to output the pulse from a predetermined position in the designated desired block (see column 22, lines 45-58).

In regard to claim 2, Terada et al., US 6,124,888, discloses a selector circuit according to claim 1, further comprising reset means for resetting said scan circuit to stop said scan circuit from sequentially outputting the pulse (see column 14, lines 22-32).

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In regard to claim 3, Terada et al., US 6,124,888, discloses a selector circuit comprising:

scanning means (see figure 26, elements 609 and 610) for sequentially outputting a pulse for selection (see column 13, line 60 to column 14, line 32);

first designating means (see figure 7, element 109) for supplying a start signal for a desired block of a predetermined area divided into a plurality of blocks smaller than a whole area of said scanning means, so as to allow said scanning means to start to output the pulse from a predetermined position in the desired block (see column 22, lines 45-58); and

second designating means for supplying a start signal to start to output sequentially the pulse from an area other than the predetermined area of said scanning means (see column 14, lines 22-32).

In regard to claim 4, Terada et al., US 6,124,888, discloses a selector circuit according to claim 3, further comprising control means for controlling said first designating circuit to designate the desired block after the pulse is sequentially output for the area other than the predetermined area (see column 14, lines 30-32).

In regard to claim 5, Terada et al., US 6,124,888, discloses an image pickup apparatus comprising:

a plurality of pixels (see column 7, lines 8-15);

a scan circuit (see figure 26, elements 609 and 610) for sequentially outputting a pulse for selection (see column 13, line 60 to column 14, line 32);
and

a decoder circuit (see figure 7, element 109) for designating a desired block of said scan circuit divided into a plurality of blocks, so as to allow said scan circuit to start to output the pulse from a predetermined position in the designated desired block (see column 22, lines 45-58).

In regard to claim 6, Terada et al., US 6,124,888, discloses an image pickup apparatus according to claim 5, further comprising reset means for resetting said scan circuit to stop said scan circuit from sequentially outputting the select pulse (see column 14, lines 22-32).

In regard to claim 9, Terada et al., US 6,124,888, discloses an image pickup system comprising:

a plurality of pixels (see column 7, lines 8-15);

a scan circuit (see figure 26, elements 609 and 610) for sequentially outputting a select pulse for selecting each pixel (see column 13, line 60 to column 14, line 32);

a decoder circuit (see figure 7, element 109) for designating a desired block of said scan circuit divided into a plurality of blocks, so as to allow said scan circuit to start to output the select pulse from a predetermined position in the designated desired block (see column 22, lines 45-58);

an analog/digital converter circuit for converting a signal from each of the plurality of pixels into a digital signal (see column 11, lines 32-37); and

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a signal processing circuit (see figure 7, element 104) for processing a signal output from said analog/digital converter circuit (see column 11, lines 29-37).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Terada et al., US 6,124,888 in view of Hosokai et al, US 5,909,247.**

In regard to claim 7, Terada et al., US 6,124,888, discloses an image pickup apparatus comprising:

a plurality of pixels for obtaining image signals (see column 7, lines 8-15);

and

a first designating circuit (see figure 7, element 109) for supplying a start signal for a desired block of said scanning means divided into a plurality of blocks to select the plurality of pixels, so as to allow said scanning means to start to output the select pulse from a predetermined position in the desired block (see column 22, lines 45-58); but lacks:

a plurality of optical black pixels for obtaining a dark level ;

scanning means for sequentially outputting a select pulse for selecting the plurality of pixels and the plurality of optical black pixels; and

second designating means for supplying a start signal for sequentially outputting the select pulse to select the plurality of optical black pixels.

Hosokai et al., US 5,909,247, discloses an image pickup apparatus with a plurality of optical black pixels for obtaining a dark level and a method for reading out the pixels to make an optical black clamp (see column 10, lines 24-63).

It would have been obvious to a person skilled in the art, at the time of invention, to modify Terada et al., US 6,124,888 in view of Hosokai et al, US 5,909,247, to have optical black pixels and a method of reading out the pixels in order to make “an optical black clamp in an effort to perform a stable imaging against variations in service environments, such as ambient temperature changes as taught by Hosokai et al, US 5,909,247.

Terada et al., US 6,124,888 in view of Hosokai et al, US 5,909,247, as explained above in regard to claim 7, discloses an image pickup apparatus according to claim 7, further comprising control means (see figure 7, element 108) for controlling said first designating circuit to designate the desired block after the select pulse is sequentially output for selecting the plurality of optical black pixels (see column 22, lines 53-58).

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following art discloses image pickup apparatuses that divide the array of pixels into blocks:

US 6,661,451,

US 2003/0067549.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gevell Selby whose telephone number is 703-305-8623. The examiner can normally be reached on 8:00 A.M. - 5:30 PM (every other Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's primary, Vu Le can be reached on 703-308-6613. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

gvs



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